



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 5

77 WEST JACKSON BOULEVARD

CHICAGO, IL 60604-3590

SEP 27 2017

REPLY TO THE ATTENTION OF:

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Fred Ramquist, Manager
Owens Corning Insulating Systems, LLC
400 Case Avenue
Newark, Ohio 43055

Re: Notice of Violation
Owens Corning Insulating Systems, LLC
Newark, Ohio

Dear Mr. Ramquist:

The U.S. Environmental Protection Agency is issuing the enclosed Notice of Violation (NOV) to Owens Corning Insulating Systems, LLC (Owens Corning or you) under Section 113(a)(1) of the Clean Air Act, 42 U.S.C. § 7413(a)(1). We find that you are in violation of the Ohio State Implementation Plan at your Newark, Ohio facility.

Section 113 of the Clean Air Act gives us several enforcement options. These options include issuing an administrative compliance order, issuing an administrative penalty order and bringing a judicial civil or criminal action.

We are offering you an opportunity to confer with us about the violations alleged in the NOV. The conference will give you an opportunity to present information on the specific findings of violation, any efforts you have taken to comply and the steps you will take to prevent future violations. In addition, in order to make the conference more productive, we encourage you to submit to us information responsive to the NOV prior to the conference date.

Please plan for your facility's technical and management personnel to attend the conference to discuss compliance measures and commitments. You may have an attorney represent you at this conference.

The EPA contact in this matter is Manojkumar P. Patel. You may call him at (312)353-3565 to request a conference. You should make the request within 10 calendar days following receipt of this letter. We should hold any conference within 30 calendar days following receipt of this letter.

Sincerely,

Sara Bruneman

for Edward Nam
Director
Air and Radiation Division

Enclosure

cc: Bob Hodanbosi, Chief, Division of Air Pollution Control
Ohio Environmental Protection Agency

Kelly Toth, Central District Office
Ohio Environmental Protection Agency

**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5**

IN THE MATTER OF:

Owens Corning Insulating Systems, LLC
Newark, Ohio

Proceedings Pursuant to
Section 113(a) of the
Clean Air Act, 42 U.S.C.
§ 7413(a)

NOTICE OF VIOLATION

EPA-5-17-OH-16

NOTICE OF VIOLATION

The U.S. Environmental Protection Agency (EPA) is issuing this Notice of Violation (NOV) under Section 113(a)(1) of the Clean Air Act (Act), 42 U.S.C. § 7413(a)(1). EPA finds that Owens Corning Insulating Systems, LLC (Owens Corning) is violating the Ohio State Implementation Plan (SIP) as follows:

Statutory and Regulatory Background

1. Effective March 22, 2013, EPA approved modifications to Ohio Administrative Code (OAC) Rules 3745-31-01, 3745-31-02, and 3745-31-05 as part of the Ohio SIP, which contain requirements for Ohio's permit-to-install (PTI) program. 78 *Fed. Reg.* 11748.
2. OAC Rule 3745-31-02(A) prohibits any person from causing, permitting, or allowing any installation or modification of any new source that is, or will be, part of a facility, as defined in OAC Rule 3745-77, and that is required to obtain a Title V permit under OAC Rule 3745-77, without first obtaining a PTI from the Director of the Ohio Environmental Protection Agency (OEPA).
3. OAC Rule 3745-31-05(A)(1-3) requires the Director of OEPA to issue a PTI if the director determines that the installation, modification, or operation of the air contaminant source will: (1) not prevent or interfere with the attainment or maintenance of applicable ambient air quality standards; (2) not result in a violation of any applicable laws including, but not limited to, emission standards adopted by OEPA and Federal Standards of Performance for New Sources adopted by EPA pursuant to Section 111 of the Act and the regulations promulgated thereunder; and (3) employ best available technology (BAT) in accordance with certain requirements.¹
4. OAC Rule 3745-31-05(D)(1) provides that the Director of OEPA may impose special terms and conditions as are appropriate or necessary to ensure compliance with the applicable laws and to ensure adequate protection of environmental quality. Special terms and conditions necessary to ensure compliance mandated by the Act, which include

¹ OAC Rule 3745-31-05(A)(3)(a)(ii), which exempts certain air contaminant sources from BAT requirements, has not been approved as part of the Ohio SIP. See 78 *Fed. Reg.* 11748, 11749.

synthetic minor emissions unit terms and conditions, shall be federally enforceable. Federally enforceable terms and conditions will be designated as such through terms and conditions of, among other things, a final PTI issued under this chapter.

Enforcement Authority

5. Failure to comply with any approved regulatory provision of a SIP, or with any permit limitation or condition contained within a permit issued under an EPA approved program that is incorporated into the SIP, shall render the person or governmental entity so failing to comply in violation of a requirement of an applicable implementation plan and subject to enforcement action under Section 113 of the Act. 40 C.F.R. § 52.23.
6. Section 113(a)(1) of the Act, 42 U.S.C. § 7413(a)(1), provides in part that at any time after the expiration of 30 days following the date of the issuance of a NOV, EPA may, without regard to the period of violation, issue an order requiring compliance with the requirements of the applicable SIP or permit; issue an administrative penalty order pursuant to Section 113(d), or bring a civil action pursuant to Section 113(b) for injunctive relief and/or civil penalties.

Relevant Factual Background and Alleged Violations

7. Owens Corning owns and operates a wool fiberglass manufacturing facility located at 400 Case Avenue, Newark, Ohio (the Facility). Emission sources at the Facility include several wool fiberglass furnaces, forming processes, curing ovens, and cooling and trimming operations for processing fiberglass.
8. Owens Corning is a “major source” subject to Title V of the Act, 42 U.S.C. § 7661 *et seq.* Effective January 28, 2004, OEPA issued Owens Corning a Title V permit with an expiration date of February 18, 2009 for the Facility (Facility ID: 01-45-02-0185).
9. Effective June 16, 2005, OEPA issued a significant modification to the Title V permit (2005 Title V permit). Owens Corning submitted a timely renewal application prior to February 18, 2009. OEPA has not yet taken action on the renewal application. Consistent with the Title V permit and OAC Rule 3745-77-08(E), Owens Corning remains subject to and must continue to operate in accordance with the terms of the 2005 Title V permit until OEPA takes final action on Owens Corning’s renewal application.
10. On June 12, 2012, OEPA issued PTI No. P0108954 to Owens Corning to remove federally-enforceable limits and create new federally-enforceable limits for volatile organic compounds (VOC) based on data submitted by Owens Corning, which applied to, among other units, emission unit P066 (F-6 Oven) and P128 (F-6 Cooling Section).
11. On September 26, 2013, OEPA issued PTI No. P0113568 to Owens Corning to increase the allowable VOC emission limits for the curing and cooling processes when employing non-phenolic binder. The PTI applies to, among other units, emission unit P055 (C-4 curing oven).

12. On September 5, 2014, EPA issued an information request to Owens Corning under Section 114 of the Act, 42 U.S.C. § 7414 (September 2014 Information Request). On November 18, 2014, and December 18, 2014, Owens Corning submitted responses to the September 2014 Information Request.
13. On February 9, 2017, EPA issued a second information request to Owens Corning under Section 114 of the Act, 42 U.S.C. § 7414 (February 2017 Information Request). On April 20, 2017, and May 18, 2017, Owens Corning submitted responses to the February 2017 Information Request.

Emission Unit P055 (C-4 Curing Oven)

14. The 2005 Title V Permit identifies emission unit P055 as the C-4 curing oven. Owens Corning uses a cyclonic separator to control air emissions from P055. P055 is subject to a VOC emission limit of 1.0 pound per ton of binder solids applied when employing non-phenolic binder under Condition 2.(b).1.(c) of PTI No. P0113568.
15. Based on the response to the February 2017 Information Request, Owens Corning conducted stack testing at P055 in November 2013 to demonstrate compliance with PTI No. P0113568. Stack test results showed VOC emissions of 1.38 pound per ton of binder solids applied when employing non-phenolic binder, in violation of PTI No. P0113568.

Emission Unit P066 (F-6 Curing Oven)

16. The 2005 Title V Permit identifies emission unit P066 as the F-6 curing oven. Owens Corning uses the incinerator to control air emissions from P066. P066 is subject to a VOC emission limit of 0.50 pound per ton of binder solids applied when employing non-phenolic binder under Condition 2.(b).1.(c) of PTI No. P0108954.
17. Based on the response to the September 2014 Information Request, Owens Corning conducted stack testing at P066 in January 2013 to demonstrate compliance with PTI No. P0108954. Stack test results showed VOC emissions of 1.33 pounds per ton of binder solids applied when employing non-phenolic binder, in violation of PTI No. P0108954.

Emission Unit P128 (F-6 Cooling Section)

18. The 2005 Title V Permit identifies emission unit P128 as the F-6 cooling section. Emissions from P128 are routed to a stack. P066 is subject to a VOC emission limit of 2.40 pounds per ton of binder solids applied when employing non-phenolic binder under Condition 2.(b).1.(b) of PTI No. P0108954.
19. Based on the response to the September 2014 Information Request, Owens Corning conducted stack testing at P066 in January 2013. Stack test results showed VOC emissions of 3.67 pounds per ton of binder solids applied when employing non-phenolic binder, in violation of PTI No. P0108954.

Environmental Impact of Violations

20. These violations may cause excess emissions of VOC, which contribute to the formation of ozone. Breathing ozone contributes to a variety of health problems including chest pain, coughing, throat irritation, and congestion. It can worsen bronchitis, emphysema, and asthma. Ground-level ozone also can reduce lung function and inflame lung tissue. Repeated exposure may permanently scar lung tissue.

9-27-17

Date

Sara Bruneman

for Edward Nam
Director
Air and Radiation Division

CERTIFICATE OF MAILING

I certify that I sent a Notice of Violation, No. EPA-5-17-OH-16, by Certified Mail,

Return Receipt Requested, to:

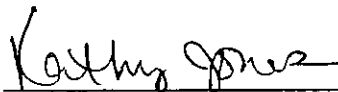
Fred Ramquist, Manager
Owens Corning Insulating Systems, LLC
400 Cass Avenue
Newark, Ohio 43055-5893

I also certify that I sent copies of the Notice of Violation by e-mail to:

Bob Hodanbosi, Chief
Division of Air Pollution Control
Ohio Environmental Protection Agency
bob.hodanbosi@epa.ohio.gov

Kelly Toth
Central District Office
Ohio Environmental Protection Agency
Kelly.toth@epa.ohio.gov

On the 20th day of September 2017.



Kathy Jones
Program Technician
AECAB, PAS

CERTIFIED MAIL RECEIPT NUMBER: 7009 1680 80007647 0629